

# **Murray City Municipal Council Chambers Murray City, Utah**

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 18<sup>th</sup> day of October 2005 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following

Krista Dunn,	Council Chair - Teleconference at 7:00 p.m.
Pat Griffiths,	Council Member - Conducted
Jim Brass,	Council Member
Robbie Robertson,	Council Member
Jeff Dredge,	Council Member

Ms. Griffiths conducted meeting.

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Rondi Knowlton-Jefferies	Mayor's Office
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Phil Markham,	Public Services
Dennis Hamblin,	Planning & Zoning
Gill Rodriguez,	Fire Chief
Gary Merrill,	General Manager, Power Department
Boy Scouts,	Troop #92

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance

Nathan Maughan

2. Approval of Minutes

Minutes of September 27, 2005

Mr. Dredge made a motion to approve the minutes with corrections.

Mr. Brass 2<sup>nd</sup> the motion.

All ayes

3. Special Recognition(s)

- a. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah and in conjunction with the Utah Humanities Council in Recognition and Honor of Susan Wright.

Ms. Griffiths read the Joint Resolution.

Mr. Brass made a motion to accept the resolution.

Mr. Robertson 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed unanimously.

Mayor Snarr noted Susan and Bill Wright have both done a wonderful job preserving Murray's downtown historical nature. They started off by buying the Murray Mansion, which used to be the Cahoon Mansion. They restored it and eventually moved into it. Later they have accumulated properties on the good portion of Downtown Historic Murray on the west side of State Street.

Mayor Snarr said we value their desire to do what they can to keep our history vibrant, utilize those land resources and bring them back to life. We are indeed indebted to Susan and Bill Wright.

Ms. Wright noted she used to always come to Murray when her kids were little. They only moved to Murray 21 years ago. They decided to put there first business in Murray, Wright Costume, the oldest business she has and is least known for that than anything else she has done.

Mayor Snarr presented the award to Ms. Wright.

- b. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah Recognizing and Declaring October 22, 2005 as the *Exchange Club's National Day of Service* in Murray City, Utah.

Ms. Griffiths read the Joint Resolution.

Mr. Robertson made a motion to approve resolution.

Mr. Dredge 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed unanimously.

Mayor Snarr noted another community asset is Sherri VanBibber. One of the main functions of the Exchange Club is prevention against Child Abuse.

Ms. VanBibber noted they are still looking for a Community Project. This has been an honor to be a member of the Murray Exchange Club. It is like having seven older brothers.

Ms. VanBibber would like to invite the community to the new Freedom Shrine at Murray High School, donated by The Exchange Club.

**B.     CITIZEN COMMENTS**     (Comments are limited to 3 minutes unless otherwise approved by the Council.)

**Nathan Alan Maughan, 5696 South Adaley, Murray, UT**

Mr. Maughan submitted a written comment stating the concrete plant is not in use and someone is using it. They are blowing dust from the train cars, and people do not like it.

**C. CONSENT AGENDA**

1. Consider confirmation of the Mayor's reappointment of Kylene Alder to the Disability Resource Advisory Board as a City Resident position for a term expiring October 1, 2008.
2. Consider confirmation of the Mayor's reappointment of Ruth Eyre to the Disability Resource Advisory Board as a City Resident position for a term expiring October 1, 2008.
3. Consider confirmation of the Mayor's reappointment of Jeanne Habel to the Disability Resource Advisory Board as a Private/Public Organization for a term expiring October 1, 2008.

Mr. Brass made a motion to reappoint all 3 reappointments listed above.

Mr. Dredge 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed unanimously.

Ms. Griffiths said there is a custom at the Council Meetings to have all the Scouts & Scout Masters introduce themselves and state what merit badge they are working on.

Each Scout and Leaders introduced themselves and stated what Merit Badges they are working on.

**D. PUBLIC HEARING(S)**

**Public Hearing #1058 & #1059**

**6:45 p.m.**

**Consider an Ordinance related to Streets;  
changes name of Single Oak Drive  
to Willow Grove Lane between  
5859 South and 5968 South in  
the Murray Oaks Phase IV Subdivision.**

**&**

**Consider an Ordinance related to Streets;  
changes name of portion of Single Oak Drive**

**to Cherry Oaks Circle between  
880 West and 857 West in  
the Murray Oaks Phase IV Subdivision.**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matters:

**Consider an Ordinance related to Streets; changes name of Single Oak Drive to Willow Grove Lane between 5859 South and 5968 South in the Murray Oaks Phase IV Subdivision.**

**Consider an Ordinance related to Streets; changes name of portion of Single Oak Drive to Cherry Oaks Circle between 880 West and 857 West in the Murray Oaks Phase IV Subdivision.**

Presentor: Phil Markham, Public Works

Mr. Markham noted his department received a petition from the homeowners in that area who were requesting this change and Public Works is fully behind this change. We see no problems whatsoever, and it will be an excellent change to the neighborhood.

**PUBLIC COMMENT**

- b. Council consideration of the above matters to follow Public Hearing.

Mr. Robertson made a motion to approve the above ordinances.

Mr. Dredge 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

A Mr. Dredge  
A Mr. Robertson  
A Mr. Brass  
A Ms. Griffiths

Motion passed unanimously.

**Public Hearing #1061  
7:00 p.m.  
Consider an Ordinance relating to  
Land Use; amends the General Plan  
from Single Family Low Density  
Residential to Single Family Medium**

**Density Residential and amends  
the Zoning Map from R-1-8 to R-1-6 for  
the property located at approximately  
6000 South 1300 East, Murray, Utah.  
(Applicant: Titan Development c/o Kyle Christensen)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance relating to Land Use; amends the General Plan from Single Family Low Density Residential to Single Family Medium Density Residential and amends the Zoning Map from R-1-8 to R-1-6 for the property located at approximately 6000 South 1300 East, Murray, Utah. (Applicant: Titan Development c/o Kyle Christensen)**

Staff Presentor: Dennis Hamblin

Mr. Hamblin noted this is a zoning issue which was reviewed by the Murray City Planning Commission on September 1, 2005. The request is on property at approximately 6000 South 1300 East. It is now zoned R-1-8, Residential Single Family. The request is to put it to R-1-6, Medium Density Single Family Zone, relative to the General Plan.

The purpose of the zone change requested was to allow higher density than what the R-1-8 would allow; essentially three duplex type or attached housing units on a private road off 1300 East.

In the Planning & Zoning minutes the applicant noted that the Fire Department recommended this not for approval for the request. Mr. Hamblin talked to the Fire Marshall and he indicated there were some issues on the conceptual plan, which would cause some problems and he gave the disapproval, it didn't relate to the actual zone change, it was related to the conceptual plan.

The Planning Commission reviewed the item and it came with a negative recommendation on a 5 to 1 vote.

At this point Krista Dunn joined us telephonically.

**Kyle Christensen, 5421 Alpine Drive, Murray, UT**

Mr. Christensen noted he participates in these meetings all the time in various cities, and one thing that is a common problem is the general public doesn't understand the nature of staff recommendation and planning and zoning recommendation. Staff does not have the power or authority to amend the General Plan like you as a Council do. They have to recommend denials on

applications because it goes against the general plan. The same goes for planning and zoning, they do not have the ability or the power to amend the General Plan,

only the Council has that power. The negative recommendation that comes from them is what they are bound to do by the ordinances in the City.

Mr. Christensen noted, you do have the power to amend the general plan tonight and you are the only ones that do. It would be easy, to follow along with planning and zoning and staff recommendations.

Mr. Christensen continued, a project like this one has been built on 5600 South 1650 East, which is called Pinion Court. They have contracted with the same builder to build a mirror image project. We have made some improvements over that project. That road is not as wide as this one, and Dennis Hamblin touched upon the island in the entrance that is a concern for the Fire Marshall. That could be easily removed. Mr. Christensen and the Fire Marshall checked the ordinance on the design, the road width and area necessary to meet the necessary fire turnaround is there when the island is removed.

The residents who are going to stand up behind him and complain against this project, are going to talk about traffic, they don't want change. If they would look at the neighborhood, there are only seven homes that touch this one and if you check the addresses most of these are the people here to complain, they don't even adjoin the property. This is not attached to their neighborhood other than the rear yard, the Johannson's exit onto 1300 East. Most of the residents exit out on different streets. It is not going to impact any way negatively.

These units are more than 3,000 square feet, the market price on Pinion Court sold for \$439,000. These will begin at \$425,000, which would be a great asset to the neighborhood. Homes in that neighborhood sell in the \$200,000 range and this would be a considerable upgrade. When it is all said and done there will be six new residents of Murray. There will be no negative effect on the neighbors during construction. Mr. Christensen is asking the Council to vote for an opportunity to upgrade Murray City with a nice project that will add nice residents, nice homes, nice values and more tax dollars to the city.

Mr. Brass noted that on zone changes you don't consider the project, you consider the zone appropriate for the area. The reason is there is no guarantee that any given project will ultimately be built when you change that zone. You have to look at anything that could be built on that land.

Mr. Christensen said he is required to turn in concept drawings as part of the ordinance. He has to turn that in to give you an idea of what is going in there. He said this project will be built, nothing will change.

## **PUBLIC COMMENT**

### **Chris Steffensen, 1242 Sandra Circle, Salt Lake City, UT**

Mr. Steffensen noted he is one of the 60 residents who signed the petition stating they are against the change in zoning. Mr. Steffensen & his wife recently moved to Murray City because they felt they haven't been treated unfairly by Salt Lake County in the past on some of the things that have happened in their neighborhood. They have tried to maintain a single residence neighborhood and over a number of years projects have encroached on Vine Street with some apartment buildings. They have encroached on 5600 South across from Cottonwood High School.

Most recently LaEuropa was built on Vine Street. They feel like they have been betrayed in that instance because it was a bed and breakfast to begin with and as you know it is no longer a bed and breakfast and the situation there is progressively getting worse. They don't want anything along 1300 East that would allow this kind of deterioration of their neighborhoods to continue.

There are two schools on 1300 East, Cottonwood High School on 5600 South and 1300 East and Woodstock Elementary at Vine Street and 1300 East, which in itself is creating a traffic situation there which they are concerned about. Adding higher density does not add to the neighborhood.

Mr. Steffensen noted recently they lost one of their neighbors due to an accident due to heavy traffic. That whole intersection is getting very congested and obviously needs to be looked at as far as getting any more congested. When you leave in the morning or in the evening, you cannot leave Hemmingway and turn north and you cannot take Hyland Lake and turn north because of the amount of traffic on those streets.

Mr. Christensen has a beautiful project. What are they doing to 1300 East if they start doing this? There are several other parcels of property that would look at the same type of zoning and would not build the kind of project Mr. Christensen is alluding to.

Another consideration is Fire and Police Departments. Just because of what's already there in the neighborhood, Mr. Steffensen is not aware whether or not UDOT has given Mr. Christensen any numbers about the number of accidents on Vine Street and 1300 East. There is probably a life flight helicopter there every three or four weeks on that corner. You are only five or six units from that corner. Mr. Steffensen recommends that the Council listen to the neighbors and listen to their concerns about congestion.

**DeeAnn Barrowes, 5888 South 985 East, Salt Lake City, UT**

Ms. Barrowes' major concern is compromising the general plan. Some of us worked long and hard to establish the guidelines for that plan before we were annexed into Murray. We hope that this City Council would honor the guidelines of the General Plan which has been put in place.

The Planning Commissions have a place; they are valuable and their recommendations are valuable.

**Clint Hintze, 5721 South Lakeside Drive, Salt Lake City, UT**

Mr. Hintze noted the zone change would not affect him however, his concern is in the future as it was brought up.

Mr. Christensen noted Woodstock Elementary School is slated by Granite School District to be closed so that could be going away. The neighbors keep bringing up that this is a single family zone where they are now. This is still a single family zone, going from R-1-8 to R-1-6, going from 2,000 square feet per lot difference. It is still single family home, they will be all owner occupied. The one on Pinion Court is a retirement community, for over 55 and that is probably what will happen with this project. We all know that Salt Lake County has a large aging population and these projects are in great demand throughout the valley and as far as what if they won't sell, it is not an option, it is how fast they will sell. He has marketed several in the past few years and this is the hottest market in our county, the retirement communities. You cannot build them fast enough.

**Cathy Johannson, lives on property in question and supports project**

Ms. Johannson knows change is really hard. She knows Mr. Christensen is proposing a really good idea and a good plan for the property. The house is more than 50 years old and needs to be updated and she cannot afford to tear it down and start over. The biggest reason why she is doing this is because of her work; she is being transferred to Las Vegas. She needs to sell her house for as much as she possibly can because houses in Las Vegas are very expensive.

Ms. Johannson said if all of you were in her position you would understand why she needs to sell it for as much as she can. She wishes they would consider that. Murray is a great city and it has been nice to live here. She understands all of your concerns, she pulls out on 1300 East several times a day, and she has never had an issue with it. It is a busy street, nothing is ever going to change that, it is a major street.

She does not understand how the addition of just five other residences would create a big thing there. There are two schools and it is busy sometimes, but she has never had a problem coming out around to 1300 East. It is a beautiful property and it has been wonderful for them and they have loved it, but she just needs to do the best thing she can for her family.

**PUBLIC HEARING CLOSED**

- b. Council consideration of the above matter to follow Public Hearing.

Ms. Dunn commented, this is an absolutely gorgeous proposal, it is something that would enhance any neighborhood. The homes which are proposed are certainly more expensive than the home she lives in and probably would raise the value.

The problem is, as Mr. Brass stated earlier, we are not considering the proposal we are considering land use. This Council commissioned the study on land use and while we have the ability to change that, we have put a lot of thought and a lot of effort and a lot of study into that land use. Ms. Dunn feels it is a great project, the land use isn't tied to that project and the project isn't tied to the land use..

Ms. Dunn feels like tonight the Council needs to stay with that land use.

Mr. Dredge made a motion to deny the amendment due to the fact that it is not consistent with our General Place.

Mr. Brass 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Ms. Dunn  
  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed unanimously.

**PUBLIC HEARING #1062**

**7:15 p.m.**

**Consider an Ordinance relating to  
Land Use; amends the Zoning Map  
for property located at 1050 East Vine  
Street and 1054 East Vine Street,  
Murray City, Utah from A-1 (Agricultural  
District) to R-1-8 (Single -Family Low Density  
Residential District) (Carl H. Church)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance relating to Land Use; amends the Zoning Map for property located at 1050 East Vine Street and 1054 East Vine Street, Murray**

**City, Utah from A-1 (Agricultural District) to R-1-8 (Single -Family Low Density Residential District) (Carl H. Church)**

Presentation: Dennis Hamblin

Mr. Hamblin noted this was a request which was also reviewed in the September 1, 2005 Planning Commission Meeting. It requests the Planning Commission to take a couple of parcels of ground from A-1 to R-1-8. The General Plan underlines this for low density single for which the R-1-8 requests would be in compliance.

This item comes with a favorable recommendation by the Planning Commission with a 6 to 0 Vote.

**PUBLIC COMMENT**

**PUBLIC HEARING CLOSED**

- b. Council consideration of the above matter to follow Public Hearing.

Mr. Brass made a motion to adopt the ordinance relating to land use and zoning map for property located at 1050 East Vine Street, Murray, UT to R-1-8.

Mr. Robertson 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

A Ms. Dunn  
A Mr. Dredge  
A Mr. Robertson  
A Mr. Brass  
A Ms. Griffiths

Motion passed unanimously.

**E UNFINISHED BUSINESS**

None scheduled.

**F. NEW BUSINESS**

1. Consider a Resolution approving an amendment to an Interlocal Cooperation Agreement between the City and the Utah Associated Municipal Power Systems ("UAMPS") relating to eligibility to serve on the UAMPS Board of Directors ("Board") and terms of Board Members.

Presentation: Gary Merrill, General Manager, Power Department

Mr. Merrill noted, UAMPS is an organization that is project based and as such we have members from cities throughout Utah that operate their electric utility just as Murray does, as well as members in the organization from several surrounding states. As the organization has grown, with new projects such as the IPP 3 Development Project, it had come to attention of the Board of Directors that there was an inequity in terms of ability to serve on the Board that makes decisions about a project that some of these newer members are participants in.

The Executive Committee, Mr. Merrill is the Treasurer on the Executive Board as well as a broader base governing committee, addressed this issue and prepared a proposal to expand the rules and guidelines for eligibility to become a UAMPS Board Director.

Mr. Merrill continued, in an accompanying letter to the presentation, he outlined an example of where that would apply. The proposal has been approved by the Board of Directors of UAMPS and is now going to all of the cities who are participants in this Joint Action Agreement. Furthermore, Mr. Merrill presented the proposal to the Power Advisory Board on the 28<sup>th</sup> of September. They endorsed this proposal unanimously. Mr. Merrill comes before the City Council as the final step in having Murray's position taken on this amendment to the current Joint Action Agreement.

Mr. Brass made a motion to adopt resolution.

Mr. Robertson 2<sup>nd</sup> the resolution.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Ms. Dunn  
  A   Mr. Dredge  
  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths

Motion passed unanimously.

**G.     MAYOR**

1.     Report

- ✓ Mayor Snarr noted tremendous progress on the Cottonwood overpass, although the progress has been impacted by the some major delays. Their ability to finish the project before the asphalt plants close down is very unlikely. A lot of the concrete work, base work, dropping it and

lapping it down, both on the north and south would be completed, most likely next spring. He is pleased with all the additional crews from different sites working to wrap that project up.

His main concern is to have the overpass done by the time the hospital is done to take some pressure off State street.

- ✓ Mayor Snarr noted the other issue was with UTA and their desire to build a paint booth by Box Elder street. They are working with Salt Lake County to locate the paint booth in Midvale.

2. Questions of the Mayor

- ✓ Mr. Dredge wanted to thank the Mayor for arranging the tour of the new hospital.

Mayor Snarr said, if you want to see a beautiful view of the new Rose Garden in Murray City, wait and become a patient in the hospital after 2007. You will be at the top to see it. He wanted to thank the Council for bringing the Rose Garden back to life. It is one of the most beautiful rose gardens of the whole State street corridor.

Ms. Griffiths agreed, it is really a spectacular site. From that vantage point it increased her appreciation for the rich open space we have in our community. We have a beautiful community, we don't always agree on everything, but one thing we do agree on is that is the "*Best City in America*." We appreciate the citizens who strive to maintain their properties to keep the City so beautiful.

Mr. Brass complimented the Mayor on getting the 4800 South overlay done between the TRAX so fast. The disruption was very short for those of us who travel that road a lot, it came out very well.

Ms. Griffiths noted several road projects have been completed and they are very nice and we commend the Public Services Department and recognize Phil Markham who is here tonight. You do a great job and would you please pass on to the employees how much we appreciate them and how highly they are valued.

**H. ADJOURNMENT**

Recorded by Carol Heales, City Recorder.